

**REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-2, 4-7, 9, 11-12, and 14-20 were pending in the application, of which Claims 1, 7, 9, 11, and 12 are independent. In the Office Action dated July 2, 2004, all pending claims were rejected under 35 U.S.C. §102(b). Following this response, Claims 1-2, 4-7, 9, 11-12, and 14-20 remain in this application. Applicant hereby addresses the Examiner's rejections in turn.

I. Rejection of the Claims Under 35 U.S.C. § 112, Second Paragraph

In the Office Action dated July 2, 2004, the Examiner rejected Claims 1-2, 4-7, 9, 11-12, and 14-20 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as their invention. Claims 1, 7, 9, 11, and 12 have been amended, and Applicant respectfully submits that the amendment overcomes this rejection and adds no new matter.

II. Rejection of the Claims Under 35 U.S.C. § 102(b)

In the Final Office Action dated October 22, 2003, the Examiner rejected Claims 1-2, 4-7, 9, 11-12, and 14-20 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,668,998 ("*Mason*"). Claims 1, 7, 9, 11, and 12 have been amended, and Applicant respectfully submits that the amendment overcomes this rejection and adds no new matter.

In the Office Action, the Examiner states that “[I]n response to applicant’s argument that the references fail to show certain features of applicant’s inventions, it is noted that the features upon which applicant relies (i.e., end user) are not recited in the rejected claims(s).” (See Office Action page 18, lines 1-3.) Claims 1, 7, 9, 11, and 12 have been amended to address the Examiner’s observation. For example, amended Claim 1 is patentably distinguishable over the cited art in that it recites, for example, “the user interface part providing an interface between a computer and the user using the computer”. Amended Claims 7, 9, 11, and 12 include similar recitations.

In contrast to the aforementioned recitation, *Mason* merely discloses that the interface (e.g., the interface for encoding / decoding image data) used by the handler objects (SCP/SCU) may be defined as an Application Programmers Interface (API). (See FIG. 2.) This does not mean that *Mason*’s API is an interface providing an interface between a computer node and an end user (e.g., a person who employs the computer node). Instead, *Mason*’s API corresponds to an interface placed between a first computer node and a second computer node so that the first computer may communicate image data with the second computer node through the API.

In contrast, however, the claimed user interface part, for example, may provide an interface between a computer node and an end user (a person, for example, who employs the computer node). This means that the claimed user interface part may, for example, be an API for user-to-node, and may not be an API for node-to-node.

In sum, *Mason* does not anticipate the claimed invention because *Mason* at least does not disclose “the user interface part providing an interface between a computer and the user using the computer”, as recited by amended Claim 1. Amended Claims 7,

9, 11, and 12 include similar recitations. Accordingly, independent Claims 1, 7, 9, 11, and 12 patentably distinguish the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claims 1, 7, 9, 11, and 12.

Moreover, the Examiner states in the Office Action that the handler object (SCP/SCU) of *Mason* discloses an integrated control part for controlling said data holding part, said user interface part and said object system interface part, as recited in independent Claims 1, 7, 9, and 12, and for controlling said internal system means and said object system interface means, as recited in independent Claim 11. (See Office Action, page 20, line 12 through page 21, line 11.) *Mason*, however, merely discloses that the SCP/SCU ensures that messages and events are in appropriate DICOM standard format. (See col. 2, lines 41-43.) *Mason* further discloses that the SCP/SCU enables an application to send and return calls from other applications. (See col. 2, lines 44-46.) Unlike the claimed integrated control part, *Mason's* SCP/SCU does not control anything, much less a data holding part, a user interface part, or an object system interface part, as recited in Claims 1, 7, 9, and 12, or an internal system means or an object system interface means, as recited in Claim 11. In particular, *Mason's* SCP/SCU does not control the user interface part providing an interface between a computer and the user using the computer, as recited in amend mend Claims 1, 7, 9, 11, and 12.

Dependent Claims 2, 4-6, and 14-20 are also allowable at least for the reasons above regarding independent Claims 1 and 12 and by virtue of their respective dependencies upon independent Claims 1 and 12. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 2, 4-6, and 14-20.

III. Conclusion

In view of the foregoing remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.


Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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